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AUTHOR Witmer, David R.
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ABSTRACT

This paper presents an annotated bibliography on the topic of U.S. college and university governing boards. Extensive notes are made on 3 books in particular: College Boards of Trustees by S.V. Martorana; The Board of Trustees of the University of Pennsylvania by Donald R. Belcher; and Memo to a College Trustee by Beardsley Ruml and Donald H. Morrison. Notes are also included arranged by a 14 category subject index. The categories are: (1) names of boards; (2) women on boards; (3) sources of power of boards; (4) characteristics, qualifications, and introduction of board members; (5) method of selection of board members; (6) regional representation on boards; (7) age of board members; (8) tenure of board members; (9) number of members; (10) occupation and class of board members; (11) frequency of board meetings; (12) functions, powers, and officers of boards; (13) relations with faculty, administration, and the public ; and (14) statewide coordination of higher education and relations with state government. (HS)

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NOTES ON COLLEGE AND UNIVERSITY GOVERNING BOARDS

By
DAVID R. WITMER
Board of Regents of State Colleges
18 East, Capitol Building
Madison 2, Wisconsin

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The most recent, and best, book on the subject is College Boards of Trustees by S. V. Martorana. Notes on Martorana are extensive and detailed. Other authorities are cited more briefly and only for their major contributions. As far as possible, the earliest extant documents are credited when two or more present approximately the same conclusion on a given matter.

The annotated standard bibliography is that by Walter Crosby Eells and Ernest V. Hollis, Administration of Higher Education published by the Office of Education as Circular OE-53002, No. 7, and printed in Washington, D.C., by the U. S. Government Printing Office, in 1960.

Two books, in addition to that written by Martorana, are worthy of close attention: The Board of Trustees of the University of Pennsylvania by Donald R. Belcher, a study in depth of a particular board with detailed recommendations for its improvement, and Memo to a College Trustee by Beardsley Ruml and Donald H. Morrison, a provocative challenge to trustees to exercise their responsibilities as governors rather than as "rubber stamps."

The first set of notes is arranged alphabetically, by author; the second logically, by subject.

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NOTES ON COLLEGE AND UNIVERSITY COVERNING BOARDS
alphabetically by author

Adams, (Arthur S., "The Goals of Higher Education and the Regents Responsibility to Them," in Proceedings, Association of Governing Boards of State Universities and Allied Institutions, 1961) suggests seven goals on which boards of trustees should be concentrating: (1) reducing by one-half the number of disadvantaged but highly qualified youth who do not now continue education beyond the age of compulsory attendance; (2) providing competent, professional guidance; (3) examining new learning aids, devices, and procedures; (4) mapping out a ten year plan of community relations and public information; (5) determining the wisest use of federal aid to education; (6) ascertaining institutional roles in participating in overseas educational activities; (7) keeping the attention of the educational process focused on the importance of the individual student.

Anthony (Alfred W. "Concerning College Trustees". Association of American Colleges Bulletin 19: 425-31, 1933) states that three-fourths of the bodies governing higher education are called boards of trustees and that these boards have an average membership of 24.

Appleby (Paul H. Morality and Administration in Democratic Government. Louisiana State University, 1952). emphasizes the need for greater responsibility in state government through executive controls. He claims that the fear expressed by those who are opposed to strong executives is vague, always pointed to future possibilities rather than present realities, and largely based on theory held by amateurs in government and administration.

Ashbrook, (William A. as quoted by H. P. Beck in Men Who Control Our Universities, King's Crown Press, New York, 1947.) tabulated ". . . the chief qualifications for university board members recommended in higher education surveys and writings of university trustees. . ." and found them to be "absence of political or other extraneous influence," "understanding of history and ideals of the institution," "ability to maintain public confidence," "sound judgment," "vision," and "interest in education," among others. An apprenticeship system (should) be instituted to educate trustees for their . . . tasks.

Beck, (Hubert P., Men Who Control Our Universities, King's Crown Press, New York, 1947.) asserts (1) "that the boards are more than mere figureheads and actually do decide basic matters of university policy, and (2) that knowledge of group composition in terms of the occupation, income, age, sex, residency, corporation connections, etc., of board members is important in understanding and predicting group judgments and actions on policy issues." Beck concludes that 'the qualifications most frequently found in the legal documents of higher institutions are occupation, age, sex, religion, and residence. He calls attention to the fact that a stipulation regarding religion was found only with reference to privately controlled institutions; in this group it is a frequent requirement. . . In some cases. . . there is a requirement that all or a part of the board. . . be alumni." ". . . in practice, boards delegate the major share of their extensive legal powers and defer in most matters to the judgment of the university president. . . Nevertheless, . . . these boards still cannot delegate responsibility for the selection of the president or for the decision to continue him in office; neither can they delegate the ultimate decisions as to the limits within which he and his staff may safely exercise freedom of judgment and action." He reports, among other things,

that the median age of trustees is 59, only 3% are women, most live in urban areas, and "only on issues of academic freedom did comparisons indicate a greater degree of so-called 'liberal' opinion among. . . trustees than among the population at large." An ideal board has 13 members who represent all socio-economic classes and those most intimately concerned with higher education: faculty and students. Eight members could represent the public (2 each from agriculture, business, labor, and the professions) and five from the university (2 each from the faculty and alumni, and one student).

Belcher, (Donald R , The Board of Trustees of the University of Pennsylvania, University of Pennsylvania Press, Philadelphia, 1960) states that "no major decision is ever made by a Board of Trustees. . . which is not in the final analysis an educational decision."

"On any matter of concern to the faculty he (the president) will,. . . consult with his colleagues as part of his preparation. . . he should faithfully report (to the Board) the position of the faculty to the extent it is determinable, particularly in the event that their position is. . . at variance with his own. Unless the Board decides to defer action and ask for further consideration, the time for debate between president and members of the faculty is past and, in any event, a Board meeting is not the proper forum. That a faculty member should be present to argue with the President, or even as a "watch-dog" to report the President's performance back to the faculty, is clearly contrary to all principles of good organization." "To be sure, there are occasions,. . .the selection of a new president. . .when it is highly important that the Board have the full benefit of faculty opinion."

"In view of its vital importance to effective operation throughout the University, this document (Manual of Policies and Procedures). . . should be adopted. . . as a handbook to guide the administration and faculty. . ."

"Indeed it is not too much to say that herein (in Boards of Visitors and Advisory Boards) lies the key, not only to vastly improved relations among Trustees, Administration, and Faculty, but to strengthening and revitalization of the entire system of University government." His "recommendations look toward. . . improvement in regular meetings of the Board. . . through more comprehensive dockets provided in advance, more frequent presentation of basic policy issues, and limitations on non-member attendance." He recommends ". . . that subject matter for their (Board) meetings be materially improved through more attention to appraisal of current performance in relation to long-term objectives." He continues: "We are faced with the choice of two alternatives: a small Board with frequent meetings and no standing committees, or a large Board with reliance on an effective committee system." Belcher concludes: "To preserve the traditions that are worthy of preservation and at the same time to make the changes which problems of our present-day democracy require--these constitute the task of the Board of Trustees no less than of its educational and administrative associates."

Bell, (Laird "From the Trustees' Corner", in Association of American Colleges Bulletin 42: 353-361, 1956). declares that "every man thinks he is an educator!" Trustees join boards because they are interested in education, and they resent "being told to keep hands off the most interesting part of the activity. . ." Indeed, he argues, "trustees cannot abdicate all concern with educational matters." They "have the right--and in fact the duty --to determine what kind of education shall be offered. . . but once overall policy is decided it ought to be true that the educational experts should determine how the policy is to be implemented. . ."

Blackwell, (Thomas E., as quoted by S. V. Martorana in College Boards of Trustees, The Center for Applied Research in Education, Inc., Washington, 1963). clearly states: "In this country, the governing board. . . has plenary authority, limited only by the provision of its charter, the laws of the land, and public opinion. Much of this authority is usually delegated to the president. . . The president, in turn, delegates many of his duties and responsibilities to his administrative officers, deans, and faculty committees. However, the governing board remains the repository of power since it may, at its pleasure, withhold or withdraw its delegation of power."

Brewton (John E., Public Higher Education in West Virginia. State of West Virginia, 1956). recommends consolidation of state college and university boards and further recommends that the new board of higher education be exempt from control by the executive (Governor's) office.

Brumbaugh (A. J. and Blee, Myron R., Higher Education and Florida's Future. University of Florida, 1956). assert that detailed controls by executive agencies result from delay on the part of higher education in devising effective procedures for planning, coordinating, and controlling.

Bryant, (Victor S., "The Role of the Regent," in the A.A.U.P. Bulletin 50: 4, 1964). writes: ". . . when the welfare of the institution demands it, a regent must have the courage, coupled with the wisdom, to discharge the president and choose a better successor. . . Must all of a regent's information. . . come through the president, or may he go directly to . . . some administrative official or faculty member?. . . There are occasions when direct relations would be worthwhile. . . It is peculiarly the responsibility of the regent to see that proper salary schedules exist for the administrative officials as well as for the faculty. . . Every factor which carries weight in determining whether a faculty member should remain where he is, or whether he should go elsewhere, must be of concern to every regent. . . First, a teacher should have full freedom in research, and the right to publish the results. . . Second, a faculty member in his classroom should have absolute freedom. . . Third, outside his classroom and beyond his chosen field the teacher should have the same right as others have to formulate and express his opinion. . ."

Byrne, (Jerome C., Report on the University of California. . ., the Special Forbes Committee, Los Angeles, 1965) reports ". . . fundamentally it (the Berkeley free speech crises) was a crisis in government, caused by the failure of the President and Regents to develop a governmental structure at once acceptable to the governed and suited to the vastly increased complexity of the University." He suggests ". . . it is now time to shift (the regents) from being the government. . . to providing for the governance of the University." He recommends: ". . . that the Regents separately charter each campus as an autonomous University within the system. That the charters provide for direct communication and appeal to the Regents from any component of the University system. . . That the. . . administration. . . of each. . . university be held responsible for results achieved, not for conformity to method on a statewide basis. . . That . . . resources be allocated on a campus-by-campus basis, rather than item-by-item."

Caldwell (J. T. "Organizing State-Supported Higher Education" State Government 26: 256-60; 1953.) decides that the type of board of regents to be preferred, depends on the number of institutions involved in the system.

Capen, (Samuel P., The Management of Universities, Foster & Stewart Co., Buffalo, 1953). testifies that "The American plan of institutional management is without doubt largely responsible for the prodigious and unparallel spread of higher education in the United States, . . . In particular, the concentration of executive authority inherent in the American plan facilitates the expansion of individual institutions and their quick adaptation to the changing demands of the society they serve."

Chambers, (M. M., "The Good Trustee," Journal of Higher Education, IX: March, 1938.) writes ". . . a governing board properly includes representatives of different temperaments. . . Higher education would not suffer if a few more Tom Paines and Patrick Henrys were judiciously distributed among boards of trustees." It is quite obvious that one who has long been an active partisan in local politics is likely to have become committed to viewpoints which are incompatible with good service on a university governing board.

Chambers, (Merritt M. "Tenure of State University Trustees", The Educational Record 18: 125-36, 1937) reports that state board of trustee members are appointed for terms of from 3 to 16 years with a median of 6. But there is little relationship between length of term and tenure. The average trustee serves 12 years. He cites several cases of flagrant abuse of removal power and concludes that such power so used isa threat to the integrity of governing boards of state universities.

Coolidge, (Charles, "How to Be a Good Fellow," Harvard Alumni Bulletin, February 4, 1956) advises members of governing boards: "Make your decisions on evidence furnished by experts, and not on your own imperfect knowledge of academic affairs."

Corson, (John J., Governance of Colleges and Universities, McGraw-Hill, New York, 1960) asserts the boards' "responsibility for making decisions which will ensure that the institution. . . meet (s) the evolving demands of the society within which it exists." "Much of the authority of governing boards has. . . been claimed by. . . the paralleled faculty organization." ". . . board members find themselves (1) dependent on others for the . . . making of many decisions for which they are ultimately responsible, (2) inadequately informed. . ., and (3) unable to influence decisions. . ." He reports "meetings, . . . tend to be formal affairs for official approval of matters previously worked out by the president, the board chairman, and committees. As a rule, significant decision making does not occur at official board meetings, particularly by the larger boards."

Corson claims "The annual budget is in effect a fiscal statement of the institution's educational program."

Corson describes instances when the board officially and publicly supported actions that had come into public question and discussion. In these instances, he reports ". . . only the distinguished representatives of the public who serve on the board could speak to defend the institution." "The key to making boards more effective is to improve communication with the faculty; more clearly define the responsibilities of the board, administration, and faculty; and to provide a "more comprehensive and pragmatic interpretation of society's course" to the faculty "impelling the faculty to consider how courses and curricula should evolve to equip students to enter this evolving society."

Council of State Governments, Higher Education in the Forty-Eight States. The Council, 1952. A majority of boards governing public institutions exercise authority in four ways: (1) determining educational programs (2) budgeting (3) fiscal controlling and (4) managing personnel. Members of boards are usually subject to removal for cause. Weak institutions have board members from a single vocation.

Counts, (George S., The Social Composition of Boards of Education: A Study in the Social Control of Public Education, U. of Chicago Press, 1927) sums up his study by saying that his data on boards of control suggest that the school may "become an instrument by means of which some dominant class. . . impresses upon the mind of the coming generation its own special bias or point of view," for "the basic service which the board renders is the formulation of general educational policy" and "no one can transcend the limits set by his own experience."

Cowley, (W. H., "The Administration of American Colleges and Universities," in University Administrative Practice, Oswald Nielson, ed., Stanford University, Stanford, 1959) traces the American plan of government for higher education back to "The Scottish universities which had copied from the University of Leyden, which in turn had adopted it from the Italian universities." In medieval Italian universities, as students gradually lost control ". . . civil authorities took over by appointing what we would today call boards of trustees, that is, lay bodies of non-academic people. They became the governors of both professors and students."

Cowley takes the position that while faculties can cooperate in academic government if they so desire, they cannot seek realistically to control it. "Our whole legal structure stands in the way. . ."

Cowley develops the proposition that "colleges and universities are sub-cultures which operate within larger cultures, and that these external and internal cultures intermesh and control the activities of higher institutions."

Cowley places as the final element in good administration the statement: "Able and persuasive communication constitutes the primary factor in good administration."

Cresap, McCormick, and Paget (Management Consultants, 1954, as cited by Donald R. Belcher in The Board of Trustees of the University of Pennsylvania, University of Pennsylvania Press, Philadelphia, 1960) (The Trustees had established Constituent Boards "designed and authorized to administer the affairs of the University in various specified academic areas. . .") "severely criticized the constituent board system on the grounds that it represented such a confusion of policy making and administrative authority as to conflict with the policy-making role of the Board of Trustees, promote undesirable autonomy for the various schools, and prevent the president from exercising the full authority necessary to be the chief educational administrative officer of the University."

Danton (Joseph P., "The Appointment and Election of Boards of Control in Institutions of Higher Education in America." Journal of Educational Research 30: 583-91.) reports that appointment of regents by the governor with approval of the senate is the most common method of selecting board members for state institutions. The boards of church-related institutions are usually appointed or elected entirely by the denomination in 51% of the cases.

Dewey, (John, "Faculty Share in University Control," Journal of Proceedings and Addresses of the Seventeenth Annual Conference, Association of American Universities, University of Chicago Press, Chicago, 1915.) advocates a substantial increase of the faculty voice in the election of university trustees.

Eddy, (Edward Danforth, Jr., as quoted by S. V. Martorana in College Boards of Trustees, The Center for Applied Research in Education, Inc., Washington, 1963) describes the effect of the land grant movement on higher education governing boards: "In almost all states the institutions were separated from the existing government organization. A separate board. . . was created, responsible to the state administration and legislature. . . Historically, by and large, it has prevented political control and influence and has kept state-supported higher education sufficiently isolated from the machinations of changing political regimes."

Eells, (Walter Crosby, "Boards of Control of Universities and Colleges, " The Educational Record, XLII, 1961) says "In most institutions, the president regularly meets with the board but is not himself a voting member of it. This is usually considered the better administrative practice."

Elliott, (E. C.,) with Chambers, (M. M.) and Ashbrook, (W. A., The Government of Higher Education, American Book Company, New York, 1935.) makes the essential point that, legally, the governing board is the institution and that the faculty gets its authority by delegation. Also indicates that only 6% of the governing boards of 91 institutions surveyed had committees concerned with academic policies.

Elliott, (Edward C., in Higher Education in America, R. A. Kent, ed., Ginn, Boston: 1930) "Only forceful and forward-looking persons, representative of the best of the dynamic citizenship of their generation, should be eligible for membership (on governing boards. . . only those). . . who are capable of regarding their trusteeship as the highest order of civic service, and, above all, who are able and willing to give freely an amount of time sufficient to enable them to know and to understand the immediate activities and the ultimate aspirations of the institutions of which they are a part."

Flexner, (Abraham, Universities: American, English, German, Oxford University Press, New York, 1930) views ". . . the immediate and direct influence of the trustees, after they have chosen the president, (as). . . rare and slight" but he believes ". . . their indirect and . . . largely unconscious influence may be and often is, . . . considerable. . ."

Frederick (William L. Some Changes in the Organization of Higher Education. Council of State Governments, 1957) proposes that higher educators realize that their institutions are part of state government and therefore subject to some administrative and financial controls. He suggests, on the other hand, that state officials must recognize the special nature of colleges and universities and not force them to conform to the same financial, purchasing, and personnel policies that govern other state agencies.

He further indicates that some state officials feel that there is a need for reorganizing the structure of college governing systems because several independent boards appear to provide inadequate means of coordination and diffuse the responsibility for planning for future higher education.

Glenny (Lyman A., "Colleges and Universities--Government" in Encyclopedia of Educational Research, Macmillan, New York, 1960, ed. by Chester W. Harris.) ". . . the public colleges and universities have, . . . tended to come under the control of fewer boards."

Glenny, (Lyman A. State Coordination and Control of Higher Education, Carnegie Corporation, 1960) states that neither coordinating only nor coordinating-operating systems present decided advantages in quality of presidents, faculties, institutions, government, or educational leadership. He also finds that there is an insufficient understanding of the close relationships between budgeting, program, and physical facilities.

Heald, (Henry T., "A Trustees Responsibility" in Proceedings, Association of Boards of State Universities and Allied Institutions, 1954) establishes four broad points for the board to keep in mind in selecting a new president:" (1) search for the best-qualified man and persuade him to accept; (2) follow a procedure which does not embarrass either the board or the candidates; (3) avoid a provincial point of view. . .; and (4) keep differences of view as to the qualifications of candidates out of public disclosure and discussion."

Hollis, (Ernest V., in "Forward," to College Boards of Trustees, S. V. Martorana, author, The Center for Applied Research in Education, Inc., Washington, 1963) points out that "In the United States, as in no other country, institutions of higher learning are directed fundamentally by the man and women who serve as members of boards of higher education. These boards have no common title. They are designated variously as boards of trustees, regents, governors, visitors, overseers, and the like."

Hughs, (Raymond M. as quoted in A Manual for Trustees of Colleges and Universities. Iowa State College Press, Ames, 1943.) expresses his judgment of trustee influence as follows: "The ideals and character of the faculties of these institutions, the quality and inspiration of the teaching, their adaptation to the current needs of society, their general efficiency, and their adequate support depend very largely on the trustees. . . No public trust today is more important than the trusteeship of American colleges and universities."

Keeney, (Barnaby C. "The Functions of the President as Interpreted in the Memo," Journal of Higher Education, 30: 431, 1959) contends that trustees cannot and should not take a direct part in the educational process "because they do not know how to do so."

Kinder, (James S., The Internal Administration of the Liberal Arts College. T.C., 1934. The president of the college has executive authority and responsibility. The board (a) chooses the president (b) reviews the president's activities and decisions (c) supports the president or removes him in favor of another. . .

Kirkpatrick, (John E., The American College and Its Rulers, New Republic, New York, 1927) points at the "practice of governing a university by means of a board in which the faculty have no voting voice. . ." and claims it is "without parallel outside the North American Continent." He further asserts: "The notion that he (the businessman) will be more competent, returning for an hour or two from his city office as a chief director of his alma mater than his classmate who has spent several years in graduate work and a quarter of a century in residence as a teacher and an administrator in minor affairs, is one of those curious conceits which survive and give grounds for the pessimists faith in the general stupidity of humanity."

Leighton, (J. A., chairman, "Report of Committee T on Place and Function of Faculties in University Government and Administration", Bulletin of the American Association of University Professors, VI: 20, 1920). reduces his findings to the following generalized sentences: "Boards of trustees are composed chiefly of members of the vested interests and the professions. . . It is a somewhat rare thing to find on a board a representative of either the teaching profession or scientific research. Still rarer to find a representative of the industrial workers!"

Leonard (J. Paul, "Controls on Higher Education: Implications for Program Planning." In Current Issues in Higher Education, 1956, NEA, 1956. p 264-69) expresses the views of many critics in his statement that limitations imposed by central controls have broken down effective board government of the institutions. He deplores the influence of direct political participation by the executive branch as inimical to building an institution to serve a free society.

Marcham, (F. G., "Faculty Representation on the Board of Trustees," Bulletin of American Association of University Professors, Vol. 42, No. 4, 1956) having served as the faculty representative on the Cornell governing board, "does not regard himself as qualified to speak for the faculty". "I do not think it is within the power of the faculty representative. . . to help significantly in the management of the University."

Martorana, (S.V., College Boards of Trustees, The Center for Applied Research in Education, Washington, 1963) states: "In the final analysis, the state constitutions and statutes enacted by state legislatures are the source of authority for a board. . . to operate a college or university, whether it is publically or privately controlled. . . It is interesting to note that the (U.S.) Supreme Court in the Dartmouth College case upheld the rights of the privately controlled institution that stemmed originally from a source other than the state legislature itself. . . The fact that church-related colleges must seek in effect two charters is the principal differentiation between this class of colleges and the independent, privately controlled higher institutions. . . Although the record of court decisions resolving legal questions of authority of boards of trustees in the several states clearly shows advantages in favor of a constitutional basis for the board, this advantage hangs on a frail thread. This is because the legislature ultimately controls the budget of state-supported institutions . Although the constitutional protection may be helpful in providing freedom in expenditure of funds that have been provided the institution, it cannot assure that the legislature will provide adequate funds."

He relates that "two studies of boards of publicly controlled institutions. . . report an average number of between ten and eleven members." He claims "the publicly supported two-year colleges boards range in size from three to thirty, with a median of seven members." He lists three factors favoring large boards for private institutions: "(1) the broad geographic dispersal of the constituency. . ., (2) the need to recruit students on a large geographic base, and (3) the need to obtain contributions to finance the institution's operations and construction costs."

He reminds us that 'the board is responsible and empowered as a single body; no one or several members. . . can assume the obligations or rights of the group." And, concerning qualifications: "It is essential that boards be composed of men and women of character, demonstrated capacity, and strong interest in public service. These characteristics should govern appointments, not such specific characteristics as occupation, race, sex, religion, or education."

Martorana defines ". . .four ways whereby persons are selected for membership on boards of trustees: (1) election, (2) appointment, (3) co-optation, and (4) ex-officio selection. . . By co-optation is meant that the board members themselves retain the right and duty at any given time of selecting persons to fill vacancies or to add to the board membership. . . (it is) the prevailing method. . . among privately controlled institutions." Among public institutions ". . . the state superintendent of public instruction held ex-officio membership most frequently, with the governor, and president of the institution next in frequency. . . The practice of having ex-officio members . . . is (also) a strikingly common practice among privately controlled institutions." ". . . ex-officio members. . . are extremely busy with other official duties and therefore their ability to devote full time and energy to . . . higher education. . . is impaired."

Concerning faculty representation on the board, Martorana reports ". . . as a general rule relatively little support for this . . . is found in the literature outside of the publications of the American Association of University Professors. . . One writer. . . asserts that faculty representation on the board. . . puts the person concerned in a very difficult professional position, detracts from his primary job of research and instruction, and creates misunderstanding between faculty and administration about the primary locus of responsibility for policy."

He reports "the most commonly found officers of boards of trustees are the chairman and secretary. . . Because. . . (the secretary's) duties are closely related to the work of the president. . .the preferred practice is for the president. . . to serve also as secretary of the board, with supporting staff to help in the. . . duties of the assignment. . . the great majority of boards elect their officers annually. . . The preferred practice is for the board. . . to meet as a 'committee of the whole'. . . Meetings of boards of publicly controlled higher learning are generally open to the public. . . A complete set of board records. . . would include the basic legislation. . . minutes of meetings, a manual of policies currently in effect on all phases of board jurisdiction, and a set of bylaws. . . which are actually extensions of the legal basis or charter in matters referring specifically to the board itself. . ."

He explains that "administrative efficiency. . . is the primary justification for delegation. . . Delegation of board authority is usually of two types: delegation to committees of the board. . . or delegation to individuals--most often the president. . ." ". . . trustees need to recognize the faculty in making decisions concerning . . . particularly . . . curriculum and instruction."

Martorana suggests "that the board, in choosing a man for the job (presidency), should start by formulating in as clear and precise fashion as possible the kind of executive it needs and wants, . . . The second line of advice to boards is that the selection of a president be accomplished in cooperation with the faculty. . . The third line of counsel to boards is that . . . a clear and constant, separation be kept between the board's function of determining policies and the executive's role in general administration."

Martorana further suggests: "Within this field of controversy (determining programs), three assignments may be given to the board. . . (1) maintenance of a sense of direction and balance in institutional offerings consistent with educational purposes; (2) recognition and preservation of the values of academic freedom in instruction, research, and service. . .; (3) encouragement of change in instruction as conditions change. . . institutions have an inherent tendency to expand. Paradoxically, there exists on the usual campus also a basic conservatism toward change, sometimes even when changes are consistent with institutional purposes and are demanded by new conditions."

Concerning the boards role in evaluating the institution and its program Martorana insists "Their duty is to see that the evaluation takes place and that results become available for use by the board. The actual conduct of studies and surveys is the duty of the regular staff. . ."

He indicates an early form of statewide coordination: "The emergence and growth of state normal schools, later to become. . . teachers colleges, state colleges, and in some cases state universities, is another thread in the fabric of American higher education and the development of present-day boards of higher education . . . From their beginnings these schools were governed by boards which were representative of the state as a whole and were coordinated on a statewide basis. . ." He points out that "in most states with statewide coordinating boards responsible for higher education, the approval of this agency must be obtained before a college can be incorporated." Finally, he suggests that "preservation of a desirable measure of institutional autonomy while simultaneously guaranteeing the strength of the total system of colleges is the final test of successful coordination."

Martorana explains: "Attempts to preserve the traditional autonomy and completeness of authority of governing boards for the operation of colleges and universities have taken four lines of appraoch. . . (1) organized effort to identify, describe, and counteract systematically factors which contribute to the erosion of board autonomy; (2) effort to acquire more safeguards for the authority of boards of publicly controlled institutions in state constitutional provisions; (3) greater attention to voluntary coordination and inter-institutional cooperation among governing boards and their institutions; and (4) development of new types of formal and official administrative structures for the administration of higher education." Concerning the latter, . . . if. . . not accomplished successfully by the higher education community itself, the function (s) will be performed by some departmental agency of the state government or the legislature itself."

A . . . "point to be noted in all this is the commitment to the principle of local control within a system of statewide supervision and coordination. This is the American system of education unique among those of the world. . . The proposition that both institutional autonomy and inter-institutional coordination and planning are essential for a system of colleges and universities to operate successfully in accomplishing the total educational purposes of the system is steadily gaining acceptance."

Martorana concludes "The use of a professionally trained specialist to serve as the chief executive officer of the board and (of professionals) as supporting workers to him is historically well-established in college administration. . . Trustees, to do their tasks well, need to know what the board on which they hold membership is responsible for and how to build and utilize a competent professional staff."

Martorana, (S. V.) and Hollis, (Ernest V., State Boards Responsible for Higher Education, Circular OE-53005, U. S. Office of Education, Washington, 1960) identified 209 boards responsible for higher education and classified them as governing, coordinating, governing-coordinating, and "other." They conclude: "Depending on the size and complexity of the units, . . . a board should be responsible for not more than 6-9 institutions. With a larger number, a condition develops which may be termed 'presidential control,' as opposed to 'board control' of the institutions in the system. This encourages too great an assumption of authority in the administrative head of each unit and weakens the vital principle of lay board control to which this country is fully committed."

They report ". . . the general practice of providing overlapping terms . . . is strongly advocated and rests on the basic principle that guarantees are needed against removal or replacement of a majority of the board at any one time or by any one official or political group. . . The average number of years served on these (public college and university) boards was seven . . . As a general rule, removal may be only for 'cause'."

They report that the average number of years since 1948 each member of the UW Regents has served is six. The comparable figure for State College Regents is 8.7 years.

McGrath, (Earl J., "The Control of Higher Education in America," The Educational Record, XVII, 259-72, 1936.) concludes that "the control of higher education in America both public and private, has been placed in the hands of a small group of the population, namely financiers and businessmen."

McNeely (John H., Higher Educational Institutions in the Scheme of State Government. U. S. Office of Education, Bulletin No. 3. Government Printing Office, 1939) classifies governing boards according to their legal status as those deriving their power from (a) state constitutions (b) incorporation (c) state statutes.

Morrison, (Donald H. "Part 4" of Memo to a College Trustee, McGraw-Hill, New York, 1959) asserts that the locus of power to change curriculum organization and teaching methods is in the academic departments despite the visable bureaucratic organization with its chain of command leading downward from the governing board. Departmental power impedes rather than aids the making of responsible institutional decisions. Trustees must support a new "mechanism" for change: The president, a faculty committee, or a faculty-administration council.

Mugford (T. H., "The Importance of Cooperation", In Facing the Critical Decade. Proceedings of the Western Regional Conference on Education Beyond High School, 1957.) recommends greater collaboration between educators and fiscal administrators in financial planning and in solving problems.

Nearing (Scott, "Who's Who Among College Trustees," School and Society, VI, 297-99, 1917) found that women constitute 3% of trustees and that governing boards are dominated by "merchants, manufacturers, capitalists, corporation officials, bankers, doctors, lawyers, educators, and ministers."

Paley, (William S., "The Role of the Trustees of Columbia University, " as quoted by Corson, John J., in Governance of Colleges and Universities, McGraw-Hill, New York, 1960) states that: "The major legal responsibilities which devolve upon trustees are: (a) to select and appoint the president of the university; (b) to be finally responsible for the acquisition, conservation, and management of the university's funds and properties; (c) to oversee and approve the kind of education offered by the university, and make certain that its quality meets the highest standards possible."

Paley, (William S., "The Role of the Trustees of Columbia University," Report of Special Trustees Committee, Columbia University, November, 1957) reports "Frequently, when businessmen-trustees are criticized the assumption is made that a businessman is inevitably innocent and unappreciative of all that goes on in the worlds of literature, music, or painting; social and political science;. . . Your committee suggests that those who believe the businessman to be a monolith should, in the interest of unfettered inquiry, take an occasional second look." ". . . conventionality and conformity, . . . are not the prime qualities through which a university grows, prospers, and advances."

Penrose, (William O., as quoted by S. V. Martorana in College Boards of Trustees, The Center for Applied Research in Education, Inc., Washington, 1963) rationalizes that "Accomplishing the objectives of the institution depends on the willingness of competent people to engage in the kind of behavior which taken together will further institutional purposes. Thus in a real sense, it is the professor who gives authority to the administrator, not the board of trustees. Authority and responsibility are delegated 'up' the hierarchy, not down."

Porter (Kirk, State Administration, Crofts, 1938) approved the tendency, in the thirties, to refrain from multiplying colleges and universities, and to consolidate them and their boards. Porter also recommended that boards for higher education should have less to do with business and institutional management in order to deal more effectively with educational policy.

Rauh, (Morton A., College and University Trusteeship, The Antioch Press, Yellow Springs, 1959) concludes that "The unique characteristics, then, of American boards are that: (1) they are composed of laymen; (2) they are invested with complete power of management, most of which they delegate to professional educators; (3) they operate without the checks and balances typical of our democratic society."

Ruml (Beardsley, Memo to a College Trustee, McGraw-Hill, New York, 1959), insists that the faculty "as a body" is not competent to make judgments and evaluations required to design, organize and administer a curriculum; that the trustees must take such functions and authority back from the faculty; and that this move does not violate the principle or practice of academic freedom (the latter having to do with what transpires in the classroom between the individual and his students). The trustee does not, however, become a part-time administrative officer with a part-time program for which he assumes part-time personal interest. He chooses, reviews the performance of, and supports the administrator--all on the basis of information concerning (1) public relations, (2) financial affairs, (3) operations, and (4) students, faculty, and curriculum.

Russell, (John Dale) and Reeves, (Floyd W., The Evaluation of Higher Institutions, The University of Chicago Press, Chicago, 1936) attempted to relate objectively the characteristics of boards to excellence. These items were identified as having an influence on excellence: (1) length of term, (2) overlapping of terms, (3) occupational distribution, and (4) avoidance of employees as board members, i.e., faculty. These items were found to have no significant relationship to excellence: (1) number of members, (2) method of selection, (3) number and kinds of committees, (4) frequency of meetings, (5) attendance, (6) residence, and (7) ages of members. They claim that the governing boards of the better institutions limit themselves to policy formulation and delegate responsibility for executive action to others. Small boards are better.

Shumaker, (Joseph McDonough as quoted in Men Who Control Our Universities, by H. P. Beck, King's Crown Press, New York, 1947.) reports "one college. . . frankly . . . sought men of means who can supply help and who know where funds may reasonably be found."

Snyder, (Henry Nelson, "College Trustees and College Finances," Bulletin of the American Association of American Colleges, XXIV December, 1938.) reports that the president of a private college, after serving in that office 35 years, testified that regardless of the legal processes applied, board members by their influence and suggestions actually chose their successors.

Tasch, (Alcuin W., "Organization and Statutes" in College Organization and Administration, The Catholic University of America Press, Washington, 1946) states that advisory boards serve ". . . a very useful purpose (1) in keeping the institution in touch with social trends and needs; (2) in providing stimulating extra-institutional viewpoints and standards; (3) in securing and offering financial help and advice; . . . (4) in establishing and fostering good public relations; (5) in giving advice on legal problems; (6) in referring conflicts with pressure groups; (and) (7) in representing the institution accoring to instructions before legislative bodies."

Tead, (Ordway, Trustees, Teachers, Students, University of Utah Press, Salt Lake City, 1951) says ". . . there is only one good reason for accepting a board post, as there is only one real reward. . . a sincere. . . burning desire to help advance the cause of higher education. . . the president and fellow board members have a real assignment in helping each new board member to come through his induction period as rapidly as possible. . . one vital aspect of . . . (board) responsibility is the assertion of the rightful interest of the university . . . in that which may be new, which may be as yet unsaid,

and which may be thus far untried, . . . For the college is democracy's institution uniquely charged to be the custodian of truth seeking and truth affirming." The trustees assignment includes, among other things, "protecting the college against ill-advised pressures;" selection of the president; obtaining financial support; "rigorous appraisal of outcomes;" providing library funds, private offices for faculty, and good supporting staff; and "rallying of Federal aids. . . under certain prescribed conditions. . ."

Toepelman, (W. C., "Controls on Higher Education," in Current Issues in Higher Education, NEA, 1956) holds the view that the government of higher education has changed by an erosive process and that grave dangers lie ahead. He fears that present controls may be followed by more dangerous restraints on curriculums, faculty, and academic freedom.

Thwing, (Charles F., "Some Qualities of a Good College Trustee," School and Society, XL: August, 1934) lists such attributes as "intellectual comprehensiveness," "interpretive mindedness," "conciliatoriness," "emotional steadiness," and "progressiveness," as qualities of a good college trustee. "To secure members of this progressive type, it is well, to elect men when they are young."

Veblen, (Thorstein, The Higher Learning in America, Huebusch, New York, 1918) theorizes that the workaday habits, of mind, training, experience, interests, and methods of successful businessmen are inevitably incompatible with the objectives and processes of higher learning. University governance, he recommends, should originate from and serve the teaching and research faculty. "Plato's classic scheme. . ." he comments, "which would have the philosophers take over the management of affairs, has been turned on its head; the men of affairs have taken over the direction of (philosophy) the pursuit of knowledge. . . Boards are of no material use in any connection; their sole effectual functions being to interfere with academic management in matters. . . that lie outside their competence. . . All that is required is the abolition of the academic executive and the governing board."

Weeks, (Ila D., "The University President and the Publics," in National Association of State Universities Transactions and Proceedings, 1950, p. 20.) reports that two-thirds of 46 state university boards met 9 or fewer times a year; one-third met 6 or fewer times each year. (WSU and UW Regents meet 12 times each year.)

Wells, (Harry L., as quoted by Donald R. Belcher in The Board of Trustees of the University of Pennsylvania, University of Pennsylvania Press, Philadelphia, 1960): "The most efficient relationship between the administration and the trustees prevails when a task is made a joint venture of cooperation. The university officials represent the research team to study, organize, and effectuate the assignments delegated. . . Trustee. . . meetings can be among the most valuable and interesting seminars in a university. . ."

White (Leonard D., Introduction to the Study of Public Administration. Macmillan 1948) stated that the need for well-defined responsibility, unity of purpose, and easy coordination demands a single executive officer.

Wisconsin Constitution, Article X, Section 6, says "Provision shall be made by law for the establishment of a state university at or near the seat of state government, and for connecting with the same, from time to time, such colleges in different parts of the state as the interests of education may require. . ." However, both the State University System and the University of Wisconsin are dependent on statutory grants of authority, and receive operating funds at the pleasure of the legislature.

Wisconsin State Statutes formerly required that two members of the Board of Regents of the University of Wisconsin must be women (eliminated in 1939). They also stated that two members of the Board of Regents of the University of Wisconsin must be farmers and two must be engaged in manual trades (removed when Republican party came into power in 1939)

Sections 36.02 and 37.01 provide that the government of the University of Wisconsin shall be vested in a Board of Regents and that for the government of the state colleges "The Board of Regents of State Colleges" is constituted.

They make the state superintendent of public instruction an ex-officio member of both boards of regents (WSU and UW) and provide for appointment of other regents by the governor with the advice and consent of the senate.

They further provide for a 9 member Board of Regents for the University of Wisconsin, and for a 13 member "Board of Regents of State Colleges."

They also provide for the appointment of Regents with overlapping terms of 5 years (WSU) and 9 years (UW).

Section 36.12 states "The President of the University (of Wisconsin) shall be president of the several faculties. . . The immediate government of the several colleges shall be intrusted to their respective faculties. . ."

Section 37.01 provides for "The Board of Regents of State Colleges" composed of ". . . appointed regents, at least one of whom shall be a woman."

Section 37.02: The Board of Regents of the University of Wisconsin may not include more than two regents from any one county.

Section 37.31 (concerning the State Colleges) states ". . . no teacher who has become permanently employed. . . by reason of 4 or more years of continuous service shall be discharged except for cause upon written charges. . ."

Section 39.024 (3) empowers the Coordinating Committee for Higher Education ". . . to make studies and recommendations (to the Legislature) in the following fields: . . . Educational planning. . . Physical plant. . . Budget requests. . . Grants to institutions. . . Personnel. . ."

NOTES ON COLLEGE AND UNIVERSITY GOVERNING BOARDS
arranged by subject

1. Names of Boards
2. Women on Boards
3. Sources of Power of Boards
4. Characteristics, Qualifications, & Introduction of Board Members
5. Method of Selection of Board Members
6. Regional Representation on Boards
7. Age of Board Members
8. Tenure of Board Members
9. Number of Members
10. Occupation and Class of Board Members
11. Frequency of Board Meetings
12. Functions, Powers, and Officers of Boards
13. Relations with Faculty, Administration, and the Public
14. Statewide Coordination of Higher Education & Relations with State Government

1. NAMES OF BOARDS

Hollis points out that "In the United States, as in no other country, institutions of higher learning are directed fundamentally by the men and women who serve as members of boards of higher education. These boards have no common title. They are designated variously as boards of trustees, regents, governors, visitors, overseers, and the like."

Anthony states that three-fourths of the bodies governing higher education are called boards of trustees.

Wisconsin State Statutes, Sections 36.02 and 37.01 provide that the government of the University of Wisconsin shall be vested in a Board of Regents and that for the government of the State Colleges "The Board of Regents of State Colleges" is constituted.

2 WOMEN ON BOARDS

Nearing found that women constitute 3% of all trustees.

Wisconsin State Statutes, Section 37.01, provide for "The Board of Regents of State Colleges" composed of ". . .appointed regents, at least one of whom shall be a woman".

Wisconsin State Statutes formerly required that two members of the Board of Regents of the University of Wisconsin must be women (eliminated in 1939).

3. SOURCES OF POWER OF BOARDS

McNeely classifies governing boards according to their legal status as those deriving their power from (a) state constitutions; (b) incorporation; (c) state statutes.

Wisconsin Constitution, Article X, Section 6, says "provision shall be made by law for the establishment of a state university at or near the seat of state government, and for connecting with the same, from time to time, such colleges in different parts of the state as the interests of education may require. . ." However, both the State University System and the University of Wisconsin are dependent on statutory grants of authority and receive operating funds at the pleasure of the legislature.

Martorana states: "In the final analysis, the state constitutions and statutes enacted by state legislatures are the source of authority for a board. . .to operate a college or university, whether it is publicly or privately controlled. . . It is interesting to note that the (U.S.) Supreme Court in the Dartmouth College case upheld the rights of the privately controlled institution that stemmed originally from a source other than the state legislature itself. . . The fact that church-related colleges must seek in effect two charters is the principal differentiation between this class of colleges and the independent, privately controlled higher institutions. . . Although the record of court decidions resolving legal questions of authority of boards of trustees in the several states clearly shows advantages in favor of a constitutional basis for the board, this advantage hangs on a frail thread. This is because the legislature ultimately controls the budget of state-supported institutions. Although the constitutional protection may be helpful in providing freedom in expenditure of funds that have been provided the institution, it cannot assure that the legislature will provide adequate funds."

4. CHARACTERISTICS, QUALIFICATIONS, & INTRODUCTION OF BOARD MEMBERS

Rauh concludes that "The unique characteristics, then, of American boards are that: (1) they are composed of laymen; (2) they are invested with complete power of management, most of which they delegate to professional educators; (3) they operate without the checks and balances typical of our democratic society."

Cowley traces the American plan of government for higher education back to "the Scottish universities which had copied from the University of Leyden, which in turn had adopted it from the Italian universities." In medieval Italian universities, as students gradually lost control ". . .civil authorities took over by appointing what we would today call boards of trustees, that is, lay bodies of non-academic people. They became the governors of both professors and students."

Russell attempted to relate objectively the characteristics of board to excellence. These items were identified as having an influence on excellence: (1) length of term, (2) overlapping of terms, (3) occupational distribution, and (4) avoidance of employees as board members, i.e., faculty. These items were found to have no significant relationship to excellence: (1) Number of members, (2) method of selection, (3) number and kinds of committees, (4) frequency of meetings, (5) attendance, (6) residence, and (7) ages of members.

Beck concludes that "the qualifications most frequently found in the legal documents of higher institutions are occupation, age, sex, religion, and residence. He calls attention to the fact that a stipulation regarding religion was found only with reference to privately controlled institutions; in this group it is a frequent requirement. . . In some cases. . . there is a requirement that all or a part of the board. . . be alumni."

Thwing lists such attributes as "intellectual comprehensiveness, "interpretive mindedness," "conciliatoriness," "emotional steadiness," and "progressiveness," as qualities of a good college trustee.

Elliot states that "only forceful and forward-looking persons, representative of the best of the dynamic citizenship of their generation, should be eligible for membership (on governing boards. . .only those). . .who are capable of regarding their trusteeship as the highest order of civic service, and, above all, who are able and willing to give freely an amount of time sufficient to enable them to know and to understand the immediate activities and the ultimate aspirations of the institutions of which they are a part."

Ashbrook, tabulated ". . .the chief qualifications for university board members recommended in higher education surveys and writings of university trustees. . ." and found them to be "absence of political or other extraneous influence," "understanding of history and ideals of the institution," "ability to maintain public confidence," "sound judgment," "vision," and "interest in education," among others. An apprenticeship system (should) be instituted to educate trustees for their. . .tasks.

Tead says ". . .there is only one good reason for accepting a board post, as there is only one real reward. . .a sincere. . .burning desire to help advance the cause of higher education. . .the president and fellow board members have a real assignment in helping each new board member to come through his induction period as rapidly as possible. . ."

Martorana reminds us that "the board is responsible and empowered as a single body; no one or several members. . . can assume the obligations or rights of the group." And, concerning qualifications: "It is essential that boards be composed of men and women of character, demonstrated capacity, and strong interest in public service. These characterictics should govern appointments, not such specific characteristics as occupation, race, sex, religion, or education."

5. METHOD OF SELECTION OF BOARD MEMBERS

Martorana defines ". . .four ways whereby persons are selected for membership on boards of trustees: (1) election, (2) appointment, (3) co-optation, and (4) ex-officio selection. . .By co-optation is meant that the board members themselves retain the right and duty at any given time of selecting persons to fill vacancies or to add to the board membership. . . (it is) the prevailing method. . . among privately controlled institutions." Among public institutions ". . .the state superintendent of

public instruction held ex-officio membership most frequently, with the governor, and president of the institution next in frequency. . . The practice of having ex-officio members. . . is (also) a strikingly common practice among privately controlled institutions." ". . .ex-officio members. . . are extremely busy with other official duties and therefore their ability to devote full time and energy to. . . higher education . . . is impaired."

Danton reports that appointment of regents by the governor with approval of the senate is the most common method of selecting board members for state institutions. The boards of church-related institutions are usually appointed or elected entirely by the denomination in 51% of the cases.

Dewey advocates a substantial increase of the faculty voice in the election of university trustees.

Snyder reports that the president of a private college, after serving in that office 35 years, testified that regardless of the legal processes applied, board members by their influence and suggestions actually chose their successors.

Wisconsin State Statutes, Sections 36.02 and 37.01 make the state superintendent of public instruction an ex-officio member of both boards of regents (WSU and UW) and provide for appointment of other regents by the governor with the advice and consent of the senate.

6. REGIONAL REPRESENTATION ON BOARDS

Beck asserts trustees most (ly) live in urban areas.

Wisconsin State Statutes, Section 37.02: The Board of Regents of the University of Wisconsin may not include more than two regents from any one county.

7. AGE OF BOARD MEMBERS

Beck asserts "the median age of trustees is 59".

Thwing believes "to secure members of this progressive type, it is well to elect men when they are young".

8. TENURE OF BOARD MEMBERS

Chambers reports that state board of trustee members are appointed for terms of from 3 to 16 years with a median of 6. But there is little relationship between length of term and tenure. The average trustee serves 12 years. He cites several cases of flagrant abuse of removal power and concludes that such power so used is a threat to the integrity of governing boards of state universities.

Martorana reports ". . .the general practice of providing overlapping terms . . .is strongly advocated and rests on the basic principle that guarantees are needed against removal or replacement of a majority of the board at any one time or by any one official or political group. . . The average number of years served on these (public college and university) boards was seven. . .As a general rule, removal may be only for 'cause'."

Wisconsin State Statutes, Sections 36.02 and 37.01, provide for the appointment of Regents with overlapping terms of 5 years (WSU) and 9 years (UW).

9. NUMBER OF MEMBERS

Anthony states that three-fourths of the boards have an average membership of 24.

Beck asserts that an ideal board has 13 members.

Russell claims that small boards are better, administratively.

Martorana relates that "Two studies of boards of publicly controlled institutions. . .report an average number of between ten and eleven members." He claims "the publicly supported two-year colleges boards range in size from three to thirty, with a median of seven members." He lists three factors favoring large boards for private institutions: "(1) the broad geographic dispersal of the constituency. . ., (2) the need to recruit students on a large geographic base, and (3) the need to obtain contributions to finance the institutions' operations and construction costs."

Belcher summarizes: "We are faced with the choice of two alternatives: a small Board with frequent meetings and no standing committees, or a large Board with reliance on an effective committee system."

Wisconsin State Statutes, Sections 36.02 and 37.01, provide for a 9 member Board of Regents for the University of Wisconsin, and for a 13 member "Board of Regents of State Colleges".

10. OCCUPATION AND CLASS OF BOARD MEMBERS

The Council of State Governments states "weak institutions have board members from a single vocation".

Nearing found that governing boards are dominated by "merchants, manufacturers, capitalists, corporation officials. bankers, doctors, lawyers, educators, and ministers."

Leighton reduces his findings to the following generalized sentences: "Boards of trustees are composed chiefly of members of the vested interests and the professions. . . It is a somewhat rare thing to find on a board a representative of either the teaching profession or scientific research. Still rarer to find a representative of the industrial workers!"

McGrath concludes that "the control of higher education in America, both public and private, has been placed in the hands of a small group of the population, namely financiers and businessmen."

Wisconsin State Statutes, state that two members of the Board of Regents of the University of Wisconsin must be farmers and two must be engaged in manual trades (removed when Republican party came into power in 1939).

Shumaker reports "one college. . . frankly. . . sought men of means who can supply help and who know where funds may reasonably be found."

Counts sums up his study by saying that his data on boards of control suggest that the school may "become an instrument by means of which some dominant class. . . impresses upon the mind of the coming generation its own special bias or point of view," for "the basic service which the board renders is the formulation of general educational policy" and "no one can transcend the limits set by his own experience."

Chambers writes ". . .a governing board properly includes representatives of different temperaments. . .Higher Education would not suffer if a few more Tom Paines and Patrick Henrys were judiciously distributed among boards of trustees." It is quite obvious that one who has long been an active partisan in local politics is likely to have become committed to viewpoints which are incompatible with good service on a university governing board.

Veblen theorizes that the workaday habits, of mind, training, experience, interests, and methods of successful businessmen are inevitably incompatible with the objectives and processes of higher learning. University governance, he recommends, should originate from and serve the teaching and research faculty.

Paley reports "Frequently, when businessmen-trustees are criticized the assumption is made that a businessman is inevitably innocent and unappreciative of all that goes on in the worlds of literature, music, or painting; social and political science;. . . Your committee suggests that those who believe the businessman to be a monolith should, in the interest of unfettered inquiry, take an occasional second look." ". . . conventionality and conformity. . . are not the prime qualities through which a university grows, prospers, and advances."

Beck asserts an ideal board has 13 members who prepresent all socio-economic classes and those most intimately concerned with higher education: faculty and students. Eight members could represent the public (2 each from agriculture, business, labor, and the professions) and five from the university (2 each from the faculty and alumni, and one student).

11. FREQUENCY OF BOARD MEETINGS

Weeks reports that two-thirds of 46 state university boards met 9 or fewer times a year; one-third met 6 or fewer times each year. (WSU and UW Regents meet 12 times each year).

12. FUNCTIONS, POWERS, AND OFFICERS OF BOARDS

Russell claims that the governing boards of the better institutions limit themselves to policy formulation and delegate responsibility for executive action to others.

Kinder reports "the president of the college has executive authority and responsibility. The board (a) chooses the president, (b) reviews the president's activities and decisions, (c) supports the president or removes him in favor of another. . ."

Martorana suggests "that the board, in choosing a man for the job (presidency), should start by formulating in as clear and precise fashion as possible the kind of executive it needs and wants. . . The second line of advice to boards is that the selection of a president be accomplished in cooperation with the faculty. . . The third line of counsel to boards is that. . . a clear and constant separation be kept between the board's function of determining policies and the executive's role in general administration."

Heald establishes four broad points for the board to keep in mind in selecting a new president: "(1) search for the best-qualified man and persuade him to accept; (2) follow a procedure which does not embarrass either the board or the candidates; (3) avoid a provincial point of view. . .; and (4) keep differences of view as to the qualifications of candidates out of public disclosure and discussion."

Flexner views ". . .the immediate and direct influence of the trustees, after they have chosen the president, (as). . .rare and slight" but he believes ". . .their indirect and. . .largely unconscious influence may be and often is, . . . considerable. . ."

Capen testifies that "The American plan of institutional management is without doubt largely responsible for the prodigious and unparallel spread of higher education in the United States, . . . In particular, the concentration of executive authority inherent in the American plan facilitates the expansion of individual institutions and their quick adaptation to the changing demands of the society they serve."

Keeney contends that trustees cannot and should not take a direct part in the educational process "because they do not know how to do so."

Bell declares that "every man thinks he is an educator!" Trustees join boards because they are interested in education, and they resent "being told to keep hands off the most interesting part of the activity. . ." Indeed, he argues, "trustees cannot abdicate all concern with educational matters." They "have the right--and in fact the duty-- to determine what kind of education shall be offered. . .but once overall policy is decided it ought to be true that the educational experts should determine how the policy is to be implemented. . ."

Morrison asserts that the locus of power to change curriculum organization and teaching methods is in the academic departments despite the visable bureaucratic organization with its chain of command leading downward from the governing board. Departmental power impedes rather than aids the making of responsible institutional decisions. Trustees must support a new "mechanism" for change: The president, a faculty committee, or a faculty-administration council.

Ruml insists that the trustee does not, however, become a part-time administrative officer with a part-time program for which he assumes part-time personal interest. He chooses, reviews the performance of, and supports the administrator--all on the basis of information concerning (1) public relations, (2) financial affairs, (3) operations, and (4) students, faculty, and curriculum.

Martorana suggests: "Within this field of controversy (determining programs), three assignments may be given to the board. . . (1) maintenance of a sense of direction and balance in institutional offerings consistent with educational purposes; (2) recognition and preservation of the values of academic freedom in instruction, research, and service. . .; (3) encouragement of change in instruction as conditions change. . . institutions have an inherent tendency to expand. Paradoxically, there exists on the usual campus also a basic conservatism toward change, sometimes even when changes are consistent with institutional purposes and are demanded by new conditions."

Concerning the board's role in evaluating the institution and its program, Martorana insists "Their duty is to see that the evaluation takes place and that results become available for use by the board. The actual conduct of studies and surveys is the duty of the regular staff. . ."

Paley states that: "The major legal responsibilities which devolve upon trustees are: (a) to select and appoint the president of the university; (b) to be finally responsible for the acquisition, conservation, and management of the university's funds and properties; and (c) to oversee and approve the kind of education offered by the university, and make certain that its quality meets the highest standards possible."

Hughs expresses his judgment of trustee influence as follows: "The ideals and character of the faculties of these institutions, the quality and inspiration of the teaching, their adaptation to the current needs of society, their general efficiency, and their adequate support depend very largely on the trustees. . . No public trust today is more important than the trusteeship of American colleges and universities."

Beck asserts (1) "that the boards are more than mere figureheads and actually do decide basic matters of university policy, ". . .in practice, boards delegate the major share of their extensive legal powers and defer in most matters to the judgment of the university president. . . Nevertheless,. . .these boards still cannot delegate responsibility for the selection of the president or for the decision to continue him in office; neither can they delegate the ultimate decisions as to the limits within which he and his staff may safely exercise freedom of judgment and action."

The Council of State Governments state a majority of boards governing public institutions exercise authority in four ways: (1) determining educational programs (2) budgeting (3) fiscal controlling and (4) managing personnel.

Corson asserts the board's "responsibility for making decisions which will ensure that the institution. . . meet (s) the evolving demands of the society within which it exists." The key to making boards more effective is to improve communication with the faculty; more clearly define the responsibilities of the board, administration, and faculty; and to provide a "more comprehensive and pragmatic interpretation of society's course" to the faculty "impelling the faculty to consider how courses and curricula should evolve to equip students to enter this evolving society."

Tead says one vital aspect of. . . (board) responsibility is the assertion of the rightful interest of the university. . . in that which may be new, which may be as yet unsaid, and which may be thus far untried, . . . for the college is democracy's institution uniquely charged to be the custodian of truth seeking and truth affirming. "The trustees assignment includes among other things protecting the college against ill-advised pressures;" selection of the president; obtaining financial support; "rigorous appraisal of outcomes;" providing library funds, private offices for faculty, and good supporting staff; and "rallying of Federal aid. . . under certain prescribed conditions. . ."

Porter also recommended that boards for higher education should have less to do with business and institutional management in order to deal more effectively with educational policy.

Glenny states that neither coordination only nor coordinating-operating systems present decided advantages in quality of presidents, faculties, institutions, government, or educational leadership. He also finds that there is an insufficient understanding of the close relationships between budgeting, program, and physical facilities.

Belcher states "In view of its vital importance to effective operation throughout the University, this document (Manual of Policies and Procedures) . . . should be adopted. . . as a handbook to guide the administration and faculty. . ." His "recommendations look toward. . . improvement in regular meetings of the Board. . . through more comprehensive dockets provided in advance, more frequent presentation of basic policy issues, and limitations on non-member attendance." He recommends ". . . that subject matter for their (Board) meetings be materially-improved through more attention to appraisal of current performance in relation to long-term objectives." Belcher concludes: "To preserve the traditions that are worthy of preservation and at the same time to make the changes which problems of our present-day democracy require--these constitute the task of the Board of Trustees no less than of its educational and administrative associates.

Cowley places as the final element in good administration the statement: "Able and persuasive communication constitutes the primary factor in good administration."

Adams suggests seven goals on which boards of trustees should be concentrating: (1) reducing by one-half the number of disadvantaged but highly qualified youth who do not now continue education beyond the age of compulsory attendance; (2) providing competent, professional guidance; (3) examining new learning aids, devices, and procedures; (4) mapping out a ten-year plan of community relations and public information; (5) determining the wisest use of federal aid to education; (6) ascertaining institutional roles in participating in overseas educational activities; (7) keeping the attention of the educational process focused on the importance of the individual student.

Martorana reports "the most commonly found officers of boards of trustees are the chairman and secretary. . . Because. . . (the secretary's) duties are closely related to the work of the president. . . the preferred practice is for the president. . . to serve also as secretary of the board, with supporting staff to help in the duties of the assignment. . . the great majority of boards elect their officers annually. . .The preferred practice is for the board. . . to meet as a 'committee of the whole'. . . Meetings of boards of publicly controlled higher learning are generally open to the public. . . A complete set of board records. . . would include the basic legislation. . . Minutes of meetings, a manual of policies currently in effect on all phases of board jurisdiction, and a set of by laws. . . which are actually extensions of the legal basis or charter in matters referring specifically to the board itself. . ."

Martorana concludes "The use of a professionally trained specialist to serve as the chief executive officer of the board and (of professionals) as supporting workers to him is historically well-established in college administration. . . Trustees, to do their tasks well, need to know what the board on which they hold membership is responsible for and how to build and utilize a competent professional staff."

Eells says "In most institutions, the president regularly meets with the board but is not himself a voting member of it. This is usually considered the better administrative practice."

Corson reports "Meetings, . . . tend to be formal affairs for official approval of matters previously worked out by the president, the board chairman, and committees. As a rule, significant decision making does not occur at official board meetings, particularly by the larger boards."

Corson claims "The annual budget is in effect a fiscal statement of the institution's educational program."

Corson describes instances when the board officially and publicly supported actions that had come into public question and discussion. In these instances, he reports"". . . only the distinguished representatives of the public who serve on the board could speak to defend the institution."

13. RELATIONS WITH FACULTY, ADMINISTRATION, AND THE PUBLIC

Elliott makes the essential point that, legally, the governing board is the institution and that the faculty gets its authority by delegation. Also indicates that only 6% of the governing boards of 91 institutions surveyed had committees concerned with academic policies.

Wells reports "The most efficient relationship between the administration and the trustees prevails when a task is made a joint venture of cooperation. The university officials represent the research team to study, organize, and effectuate the assignments delegated. . . Trustee . . . meetings can be among the most valuable and interesting seminars in a university. . ."

Coolidge advises members of governing boards: "Make your decisions on evidence furnished by experts, and not on your own imperfect knowledge of academic affairs."

White stated that the need for well-defined responsibility, unity of purpose, and easy coordination demands a single executive officer.

Mugford recommends greater collaboration between educators and fiscal administrators in financial planning and in solving problems.

Cowley developes the proposition that "colleges and universities are subcultures which operate within larger cultures, and that these external and internal cultures intermesh and control the activities of higher institutions."

Concerning faculty representation on the board, Martorana reports ". . . as a general rule relatively little support for this. . . is found in the literature outside of the publications of the American Association of University Professors. . . One writer. . . asserts that faculty representation on the board. . . puts the person concerned in a very difficult professional position, detracts from his primary job of research and instruction, and creates misunderstanding between faculty and administration about the primary locus of responsibility for policy."

Martorana explains that "Administrative efficiency. . . is the primary justification for delegation. . . Delegation of board authority is usually of two types: delegation to committees of the board. . . or delegation to individuals--most often the president. . ." ". . . trustees need to recognize the faculty in making decisions concerning . . . particularly. . . curriculum and instruction."

Blackwell clearly states: "In this country, the governing board. . . has plenary authority, limited only by the provision of its charter, the laws of the land, and public opinion. Much of this authority is usually delegated to the president. . . The president, in turn, delegates many of his duties and responsibilities to his administrative officers, deans, and faculty committees. However, the governing board remains the repository of power since it may, at its pleasure, withhold or withdraw its delegation of power."

Penrose rationalizes that "Accomplishing the objectives of the institution depends on the willingness of competent people to engage in the kind of behavior which taken together will further institutional purposes. Thus, in a real sense, it is the professor who gives authority to the administrator, not the board of trustees. Authority, and responsibility are delegated 'up' the hierarchy, not down."

Cowley takes the position that while faculties can cooperate in academic government if they so desire, they cannot seek realistically to control it. "Our whole legal structure stands in the way. . ."

Kirkpatrick points at the "practice of governing a university by means of a board in which the faculty have no voting voice. . ." and claims it is "without parallel outside the North American Continent." He further asserts: "The notion that he (the businessman) will be more competent, returning for an hour or two from his city office as a chief director of his alma mater than his classmate who has spent several years in graduate work and a quarter of a century in residence as a teacher and an administrator in minor affairs, is one of those curious conceits which survive and give grounds for the pessimists' faith in the general stupidity of humanity."

Veblen theorizes "Plato's classic scheme. . . "he comments," which would have the philosophers take over the management of affairs, has been turned on its head; the men of affairs have taken over the direction of (philosophy) the pursuit of knowledge. . . Boards are of no material use in any connection; their sole effectual function being to interfere with academic management in matters. . . that lie outside their competence. . . All that is required is the abolition of the academic executive and the governing board."

Marcham having served as the faculty representative on the Cornell governing board, "does not regard himself as qualified to speak for the faculty." "I do not think it is within the power of the faculty representative. . . to help significantly in the management of the University."

Morrison asserts that "Departmental power impedes rather than aids the making of responsible institutional decisions. Trustees must support a new "mechanism" for change: the president, a faculty committee, or a faculty-administration council.

Ruml insists that the faculty "as a body" is not competent to make judgments and evaluations required to design, organize and administer a curriculum; that the trustees must take such functions and authority back from the faculty; and that this move does not violate the principle or practice of academic freedom (the latter having to do with what transpires in the classroom between the individual and his students).

Cresap "severely criticized the constituent board system on the grounds that it represented such a confusion of policy making and administrative authority as to conflict with the policy-making role of the Board of Trustees, promote undesirable autonomy for the various schools, and prevent the president from exercising the full authority necessary to be the chief educational administrative officer of the University."

Corson asserts The key to making boards more effective is to improve communication with the faculty; more clearly define the responsibilities of the board, administration, and faculty; and to provide a "more comprehensive and pragmatic interpretation of society's course" to the faculty "impelling the faculty to consider how courses and curricula should evolve to equip students to enter this evolving society."

Belcher states "On any matter of concern to the faculty he (the president) will, . . . consult with his colleagues as part of his preparation. . . he should faithfully report (to the Board) the position of the faculty to the extent it is determinable, particularly in the event that their position is. . . at variance with his own. Unless the Board decides to defer action and ask for further consideration, the time for debate between president and members of the faculty is past and, in any event, a Board meeting is not the proper forum. That a faculty member should be present to argue with the President, or even as a "watch-dog" to report the President's performance back to the faculty, is clearly contrary to all principles of good organization." "To be sure, there are occasions. . . the selection of a new president. . . when it is highly important that the Board have the full benefit of faculty opinion."

"Indeed it is not too much to say that herein (in Boards of Visitors and Advisory Boards) lies the key, not only to vastly improved relations among Trustees, Administration, and Faculty, but to strengthening and revitalization of the entire system of University government."

Tasch states that advisory boards serve ". . . a very useful purpose (1) in keeping the institution in touch with social trends and needs; (2) in providing stimulating extra-institutional viewpoints and standards; (3)in securing and offering financial help and advice; . . . (4) in establishing and fostering good public relations; (5) in giving advice on legal problems; (6) in referring conflicts with pressure groups; (and) (7) in representing the institution according to instructions before legislative bodies."

Wisconsin State Statutes, Section 36.12, state "The President of the university (of Wisconsin) shall be president of the several faculties. . . The immediate government of the several colleges shall be intrusted to their respective faculties. . . "

Wisconsin State Statutes, Section 37.31, (concerning the State Colleges) states ". . . No teacher who has become permanently employed. . . by reason of 4 or more years of continuous service shall be discharged except for cause upon written chanrges. . ."

Bryant writes: ". . . when the welfare of the institution demands it, a regent must have the courage, coupled with the wisdom, to discharge the president and choose a better successor. . . Must all of a regent's information. . . come through the president, or may he go directly to . . . some administrative official or faculty member?. . . There are occasions when direct relations would be worthwhile. . . It is peculiarly the responsibility of the regent to see that proper salary schedules exist for the administrative officials as well as for the faculty. . . Every factor which carries weight in determining whether a faculty members should remain where he is, or whether he should go elsewhere, must be of concern to every regent. . . First, a teacher should have

full freedom in research, and the right to publish the results. . . Second, a faculty member in his classroom should have absolute freedom . . . Third, outside his classroom and beyond his chosen field the teacher should have the same right as others have to formulate and express his opinion. . ."

Byrne reports ". . . fundamentally it (the Berkeley free speech crises) was a crisis in government, caused by the failure of the President and Regents to develop a governmental structure at once acceptable to the governed and suited to the vastly increased complexity of the University." He suggests ". . . it is now time to shift (the regents) from <u>being</u> the government. . . to <u>providing for</u> the governance of the University." He recommends: ". . . that the Regents separately charter each campus as an autonomous University within the system. . . That the charters provide for direct communication and appeal to the regents from any component of the university system. . . that the . . . administration . . . of each. . . university be held responsible for results achieved, not for conformity to method on a statewide basis. . . That . . . resources be allocated on a campus-by-campus basis rather than item-by-item."

14. STATEWIDE COORDINATION OF HIGHER EDUCATION & RELATIONS WITH STATE GOVERNMENT

Porter approved the tendency, in the Thirties, to refrain from multiplying colleges and universities, and to consolidate them and their boards.

Glenny, states ". . . the public colleges and universities have, . . . tended to come under the control of fewer boards."

Martorana indicates an early form of statewide coordination: "The emergence and growth of state normal schools, later to become. . . teachers colleges, state colleges, and in some cases state universities, is another thread in the fabric of American higher education and the development of present-day boards of higher education. . . From their beginnings these schools were governed by boards which were representative of the state as a whole and were coordinated on a statewide basis. . ." He points out that "In most states with statewide coordinating boards responsible for higher education, the approval of this agency must be obtained before a college can be incorporated." Finally, he suggests that "Preservation of a desirable measure of institutional autonomy while simultaneously guaranteeing the strength of the total system of colleges is the final test of successful coordination."

Eddy describes the effect of the land grant movement on higher education governing boards: "In almost all states the institutions were separated from the existing government organization. A separate board. . . was created, responsible to the state administration and legislature. . . Historically, by and large, it has prevented political control and influence and has kept state-supported higher education sufficiently isolated from the machinations of changing political regimes."

Toepelman holds the view that the government of higher education has changed by an erosive process and that grave dangers lie ahead. He fears that present controls may be followed by more dangerous restraints on curriculums, faculty, and academic freedom.

Brumbaugh asserts that detailed controls by executive agencies result from delay on the part of higher education in devising effective procedures for planning, coordinating, and controlling.

Brewton recommends consolidation of state college and university boards and further recommends that the new board of higher education be exempt from control by the executive (Governor's) office.

Leonard expresses the views of many critics in his statement that limitations imposed by central controls have broken down effective board government of the institutions. He deplores the influence of direct political participation by the executive branch as inimical to building an institution to serve a free society.

Appleby emphasizes the need for greater responsibility in state government through executive controls. He claims that the fear expressed by those who are opposed to strong executives is vague, always pointed to future possibilities rather than present realities, and largely based on theory held by amateurs in government and administration.

Frederick proposes that higher educators realize that their institutions are part of state government and therefore subject to some administrative and financial controls. He suggests, on the other hand, that state officials must recognize the special nature of colleges and universities and not force them to conform to the same financial, purchasing, and personnel policies that govern other state agencies. He further indicates that some state officials feel that there is a need for reorganizing the structure of college governing systems because several independent boards appear to provide inadequate means of coordination and diffuse the responsibility for planning for future higher education.

Caldwell decides that the type of board of regents to be preferred, depends on the number of institutions involved in the system.

Martorana identified 209 boards responsible for higher education and classified them as governing, coordinating, governing-coordinating, and "other". They conclude: "Depending on the size and complexity of the units. . . a board should be responsible for not more than 6-9 institutions. With a larger number, a condition develops which may be termed 'presidential control,' as opposed to 'board control' of the institutions in the system. This encourages too great an assumption of authority in the administrative head of each unit and weakens the vital principle of lay board control to which this country is fully committed."

Wisconsin State Statutes, Section 39.024 (3), empowers the Coordinating Committee for Higher Education ". . . to make studies and recommendations (to the Legislature) in the following fields: . . . Educational planning. . . Physical plant. . . Budget requests. . . Grants to institutions. . . Personnel. . ."

Martorana explains: "Attempts to preserve the traditional autonomy and completeness of authority of governing boards for the operation of colleges and universities have taken four lines of approach. . . (1) organized effort to identify, describe, and counteract systematically factors which contribute to the erosion of board autonomy; (2) effort to acquire more safeguards for the authority of boards of publicly controlled institutions in state constitutional provisions; (3) greater attention to voluntary coordination and inter-institutional cooperation among governing boards and their institutions; and (4) development of new types of formal and official administrative structures for the administration of higher education." Concerning the latter, . . . if . . . not accomplished successfully by the higher education community itself, the function (s) will be performed by some departmental agency of the state government or the legislature itself."

A . . . "point to be noted in all this is the commitment to the principle of local control within a system of statewide supervision and coordination. This is the American system of education unique among those of the world. . . The proposition that both institutional autonomy and inter-institutional coordination and planning are essential for a system of colleges and universities to operate successfully in accomplishing the total educational purposes of the system is steadily gaining acceptance."